

REMARKS

The Application has been carefully reviewed in light of the Office Action dated May 18, 2004 (Paper No. 18). Claims 1, 2, 5, 6, 9, 10 and 13 to 18 are in the application, of which Claims 1, 5 and 9 are independent. Claims 3 to 4, 7 to 8 and 11 to 12 are being canceled without prejudice or disclaimer of the subject matter. Claims 1, 5 and 9 are being amended and Claims 16 to 18 are being added. Reconsideration and further examination are respectfully requested.

By the Office Action, Claims 1 to 12 were rejected under 35 U.S.C. §102(e) over U.S. Patent 6,122,403 (Rhoads). Reconsideration and withdrawal of the rejection are respectfully requested.

The present invention concerns an image capture apparatus, which is configured to capture an image, generate specific information relating to the image data, record a captured image and the specific information generated, reproduce and selectively embed the specific information in image data, using a watermarking technique.

By virtue of this arrangement, it is possible for an image capture apparatus to capture image data, generate information that can be embedded in the captured image data, and to embed information as a watermark in image data before the image data is output by the apparatus that captured the image, and since the image capturing apparatus captures the image, generates the specific information and embeds the watermark, the opportunity for tampering with a captured image prior to watermarking is diminished.

Turning to the specific language of the claims, Claim 1 defines an image capture apparatus comprising an image capture unit, an information generation unit, a

recording unit, a reproducing unit, and an embedding unit. The image capture unit captures an image, and the information generation unit generates specific information relating to the image data. The recording unit records image data for the captured image and the specific information related to the image data on a recording medium. The reproducing reproduces the image data captured from the recording medium, the embedding unit embeds specific information into the captured image using a digital watermarking technique. The image data captured by the image capture apparatus includes the specific information or not depending on a selection by the selecting unit of either a first process or a second process. When the first process is selected, the embedding unit embeds the specific information into the image data, and when the second process is selected, the embedding unit does not embed the specific information into the image data.

The applied art, namely Rhoads, is not seen to teach or to suggest an image capture apparatus with the above-identified features, particularly as regards an image capture unit: 1) capturing an image, 2) generating specific information relating to the image data, 3) recording the captured image and the specific information, and 4) selectively embedding the specific information generated by the image capture apparatus in the image captured by the image capture apparatus.

More particularly, Rhoads is seen to describe capturing an image using a scanner, which outputs the image data to a computer, where it is displayed in a window generated by software running on the computer. A user then accesses the website of a watermarking vendor, i.e., MarcCentre, which creates a user identification, i.e., a Creator ID, based on information input to the website by the user, and which stores the Creator ID

in a central repository, i.e., MarcCentre Locator Service. (See Rhoads, Figures 43 to 46, col. 71, lines 23 to 36, col. 72, lines 44 to 49, and col. 73, lines 8 to 15)

Rhoads is therefore seen to describe a web service generating information that is to be embedded in the image data and is not seen to teach or to suggest an image capture apparatus: 1) capturing an image, 2) generating specific information relating to the image data, 3) recording the captured image and the specific information, and 4) selectively embedding the specific information generated by the image capture apparatus in the image captured by the image capture apparatus.

Therefore, for at least the foregoing reasons, Claim 1 is believed to be in condition for allowance. Further, Applicants submit that Claims 5 and 9 are believed to be in condition for allowance for at least the same reasons.

Claims 13 to 15 have the added feature that the specific information embedded in the image data using digital watermarking technique by the image capture apparatus is generated when the image is captured by the image capture apparatus.

The Office Action cites col. 69, lines 50 to 56 and col. 72, lines 49 to 50 of Rhoads as disclosing this feature. However, the cited portions of Rhoads are seen to show capturing an image containing a watermark and then checking for the watermark in the image. If the image contains a watermark, then a copyright symbol is displayed. This is not seen to be the same as an image capture apparatus that captures an image and generates specific information related to the image which is to be embedded in the image.

The remaining claims are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each

dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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